

RCW 36.81.121**Perpetual advanced six-year plans for coordinated transportation program, expenditures — Nonmotorized transportation — Railroad right-of-way.**

(1) At any time before adoption of the budget, the legislative authority of each county, after one or more public hearings thereon, shall prepare and adopt a comprehensive transportation program for the ensuing six calendar years. If the county has adopted a comprehensive plan pursuant to chapter [35.63](#) or [36.70](#) RCW, the inherent authority of a charter county derived from its charter, or chapter [36.70A](#) RCW, the program shall be consistent with this comprehensive plan.

The program shall include proposed road and bridge construction work and other transportation facilities and programs deemed appropriate, and for those counties operating ferries shall also include a separate section showing proposed capital expenditures for ferries, docks, and related facilities. The program shall include any new or enhanced bicycle or pedestrian facilities identified pursuant to RCW [36.70A.070](#)(6) or other applicable changes that promote nonmotorized transit. Copies of the program shall be filed with the county road administration board and with the state secretary of transportation not more than thirty days after its adoption by the legislative authority. The purpose of this section is to assure that each county shall perpetually have available advanced plans looking to the future for not less than six years as a guide in carrying out a coordinated transportation program. The program may at any time be revised by a majority of the legislative authority but only after a public hearing thereon.

(2) Each six-year transportation program forwarded to the secretary in compliance with subsection (1) of this section shall contain information as to how a county will expend its moneys, including funds made available pursuant to chapter [47.30](#) RCW, for nonmotorized transportation purposes.

(3) Each six-year transportation program forwarded to the secretary in compliance with subsection (1) of this section shall contain information as to how a county shall act to preserve railroad right-of-way in the event the railroad ceases to operate in the county's jurisdiction.

(4) The six-year plan for each county shall specifically set forth those projects and programs of regional significance for inclusion in the transportation improvement program within that region.

136-16-010**Purpose and authority.**

As provided for in RCW [36.81.130](#), the county engineer shall submit a recommended annual road program, hereinafter referred to as the annual program, to the county legislative authority on or before the first Monday in October. The annual road program shall include recommendations for all road and bridge construction projects and all road equipment purchases for the ensuing year. The county legislative authority shall consider the recommended program and make any revisions deemed necessary.

136-16-018**Adoption of annual program.**

The county legislative authority shall adopt a final annual program at any time prior to the adoption of the budget.

136-16-020**Contents of annual program.**

The adopted annual program shall include, but not be limited to:

- (1) A line item for estimated preliminary engineering costs;
- (2) A line item for estimated right of way acquisition costs; and
- (3) A listing of all proposed construction projects for the year including a brief description of the work, the name,

number and functional classification of the road, an estimate of the total cost of each project, including construction engineering but excluding preliminary engineering and right of way acquisition, and a notation as to whether construction work on each project is to be done by contract or construction by county forces or both.

When a project involves both contract and construction by county forces work the estimate shall be divided to show the estimated cost of each type of work. The sum of all construction costs shall be approximately equal to the amount included in the road fund construction budget for construction work. All construction projects shall be shown, regardless of funding source, including all projects previously authorized and under way on which expenditures are anticipated during the program year. Projects previously authorized on which construction work is contemplated within the program year shall also be listed showing the estimated costs of work during the program year. In all cases, the total amount of proposed construction by county forces costs shall not exceed the construction by county forces limit as computed in WAC [136-16-022](#).

136-16-022

Construction by county forces limit.

The statutory construction by county forces limit shall be computed in accordance with RCW [36.77.065](#). The county population used in the computation shall be the official office of financial management estimate as of April 1st of the previous calendar year.

Determination by the county road administration board that a violation of RCW [36.77.065](#) has occurred shall be cause for issuance of a conditional certificate of good practice by the board as specified in WAC [136-04-060](#) on behalf of the county in which the violation occurred. The first condition of such a conditional certificate of good practice shall be that the county be required, at the next regular or special meeting of the county road administration board, to show cause why a certificate of good practice should not be denied to that county.

136-16-025

Miscellaneous and alternate projects.

The adopted program may include an item for miscellaneous unspecified projects in a dollar amount not to exceed ten per cent of the total. The adopted program may also include a separate section for alternate projects which shall be listed in the same manner as required for regular program projects. No construction work shall be done on any alternate project until it has been authorized by resolution. Said resolution shall clearly identify the project as an alternate project, and shall specify which project or projects are being deferred or deleted in order that adequate funding be available for the alternate.

136-16-030

Requirements of listing equipment.

The annual program shall also include a list of all major road equipment purchases and repairs contemplated for the year, together with the estimated costs thereof. The total estimated cost of all equipment listed shall be approximately equal to the amount budgeted for equipment purchase in the annual equipment rental and revolving fund budget. The equipment list may include an item for miscellaneous minor equipment in any amount up to ten percent of the estimated total cost. The list may also include a list of alternate or additional items of equipment totaling up to fifteen percent of the basic list cost to allow for unforeseen conditions.

136-16-035

Requirements of listing maintenance and special maintenance.

In accordance with RCW [36.81.130](#), the annual program shall also include the amounts to be expended for maintenance and special maintenance but details of these proposed expenditures shall not be made.

136-16-040**Forwarding of program.**

A copy of the adopted annual program and appropriate resolution shall be forwarded to the county road administration board within thirty days of its adoption but not later than December 31st of each year.

136-16-042**Modification of program.**

The adopted annual program may not be changed, revised or increased except by unanimous vote of the members of the legislative authority who are present when the vote is taken. Such modifications shall be by resolution of the legislative authority and shall list each changed, revised or added project. A copy of such resolution shall be forwarded to the county road administration board within thirty-days of its adoption.

136-16-050**Annual construction report.**

At any time prior to April 1st of the year following the annual program year, the county engineer shall submit an annual construction report to the county road administration board in accordance with forms and instructions provided by the county road administration board. The construction report shall show actual expenditures for all construction work including construction administration and engineering done during the previous budget year. Upon receipt of each county's annual construction report, the construction by county forces limit as described in RCW [36.77.065](#) will again be compared with the actual accomplishments as set forth in the annual construction report. A county which exceeds the construction by county forces limit as part of the annual program or as part of the annual construction report shall be in violation of this standard of good practice.

RCW 36.77.065**County forces construction projects or programs — Amounts — Violations.**

The board may cause any county road to be constructed or improved by use of county forces as provided in this section.

(1) As used in this section:

(a) "County forces" means regular employees of a county; and

(b) "Road construction project costs" means the aggregate total of those costs as defined by the budgeting, accounting, and reporting system for counties and cities and other local governments authorized under RCW [43.09.200](#) and [43.09.230](#) as prescribed in the state auditor's budget, accounting, and reporting manual's (BARS) road and street construction accounts: PROVIDED, That such costs shall not include those costs assigned to the right-of-way account, ancillary operations account, preliminary engineering account, and construction engineering account in the budget, accounting, and reporting manual.

(2) For counties with a population that equals or exceeds four hundred thousand people, the total amount of road construction project costs one county may perform annually with county forces shall be no more than the total of the following amounts:

(a) Three million two hundred fifty thousand dollars; and

(b) The previous year's county motor vehicle fuel tax distribution factor, as provided for in RCW [46.68.124\(5\)](#), multiplied by the amount listed in (a) of this subsection.

(3) For counties with a population that equals or exceeds one hundred fifty thousand, but is less than four hundred thousand people, the total amount of road construction project costs one county may perform annually with county forces shall be no more than the total of the following amounts:

(a) One million seven hundred fifty thousand dollars; and

(b) The previous year's county motor vehicle fuel tax distribution factor, as provided for in RCW [46.68.124\(5\)](#), multiplied by the amount listed in (a) of this subsection.

(4) For counties with a population that equals or exceeds thirty thousand, but is less than one hundred fifty thousand people, the total amount of road construction project costs one county may perform annually with county forces shall be no more than the total of the following amounts:

(a) One million one hundred fifty thousand dollars; this amount shall increase to one million two hundred fifty thousand dollars effective January 1, 2012; and

(b) The previous year's county motor vehicle fuel tax distribution factor, as provided for in RCW [46.68.124\(5\)](#), multiplied by the amount listed in (a) of this subsection.

(5) For counties with a population that is less than thirty thousand people, the total amount of road construction project costs one county may perform annually with county forces shall be no more than the total of the following amounts:

(a) Seven hundred thousand dollars; this amount shall increase to eight hundred thousand dollars effective January 1, 2012; and

(b) The previous year's county motor vehicle fuel tax distribution factor, as provided for in RCW [46.68.124\(5\)](#), multiplied by the amount listed in (a) of this subsection.

(6) Any county whose expenditure for county forces for road construction projects exceeds the limits specified in this section, is in violation of the county road administration board's standards of good practice under RCW [36.78.020](#) and is in violation of this section.

(7) Notwithstanding any other provision in this section, whenever the construction work or improvement is the installation of electrical traffic control devices, highway illumination equipment, electrical equipment, wires, or equipment to convey electrical current, in an amount exceeding ten thousand dollars for any one project including labor, equipment, and materials, such work shall be performed by contract as in this chapter provided. This section means a complete project and does not permit the construction of any project by county forces by division of the project into units of work or classes of work.